

EXHIBIT 34

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SLY MAGAZINE, LLC,

Plaintiff,

DECLARATION OF
RUBY CHARLES

Civil Action No.: 05 Civ. 3940 (CM)

- against -

WEIDER PUBLICATIONS L.L.C. and
AMERICAN MEDIA, INC.,

Defendants.

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RUBY CHARLES hereby declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

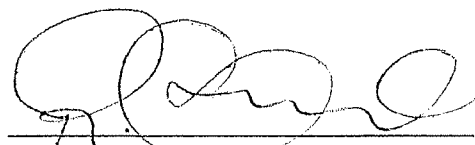
1. I am chief officer and a general member of SLY MAGAZINE LLC and respectfully supplement my prior declaration dated December 9, 2005.
2. From the very beginning of our business venture, we planned to expand the magazine into a print version. We did print and distribute some hard copy SLY publications in 2004 and 2005 as explained in paragraphs 7 and 15 of the Declaration of Adrienne Raps.
3. We continue to expand SLY magazine.
4. Our magazine remains evolving and new. A copy of the December 2006 magazine is annexed as **Exhibit A**.
5. Annexed as **Exhibit B** are invoices dated January 1, 2007 and April 30, 2007, respectively, for graphic design.
6. We are also planning promotional sweepstakes for the magazine. Annexed as **Exhibit C** is a January 2007 communication regarding an upcoming

promotion in Plaintiff's SLY magazine.

7. Annexed as **Exhibit D** is a receipt for the SLY domain name renewal dated June 16, 2007.
8. As our business expands, we are hiring more employees. Annexed as **Exhibit E** is an advertisement placed on a job seeker board.
9. We wanted to wait until after Defendants' SLY off the shelves before introducing our new print version. We are now again actively seeking distribution proposals so that we may circulate a print version. Annexed as **Exhibit F** is a distribution proposal dated February 9, 2007. There were 3 different quotes for printing provided to us dated July 9, 2004, August 2, 2004, and November 15, 2004, respectively. They are annexed as **Exhibits G, H, and I**. A prototype for our print version is annexed as **Exhibit J**. This is scheduled to be printed by Fall of 2004.
10. Actual confusion between our magazine and Defendants' magazine continues to exist. Annexed as **Exhibit K** is a July 12, 2007 email from a model interested in being featured in Defendants' magazine.

WHEREFORE, I respectfully ask that this honorable court deny Defendants' Motion for Summary Judgment.

Dated: New York, New York
August 8, 2007



Ruby Charles